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Attorneys for Defendant
Standard Metals Processing, Inc.

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

BLAIR MIELKE,	:	
	:	Case 2:14-cv-01763-JCM-NJK
Plaintiff,	:	
	:	MOTION AND PROPOSED
vs.	:	ORDER TO WITHDRAW AS
	:	LOCAL RESIDENT COUNSEL
STANDARD METALS PROCESSING,	:	
INC., a Nevada corporation, and DOES	:	
1 through 20, and ROE CORPORATIONS,	:	
1 through 20, Inclusive,	:	
	:	
Defendants	:	

JOSHUA D BRINEN, attorney for Defendant Standard Metals Processing, Inc.
("Defendant"), respectfully moves the Court for an Order permitting Sean P. Flanagan to
withdraw as Defendant's local resident counsel, in accordance with Local Rule IA 10-6.

1 This Motion is made and based upon the Memorandum of Points submitted herein, the
2 Declaration of Sean P. Flanagan, Esq., attached hereto, the pleadings and papers on file herein,
3 and any argument adduced at the hearing of this Motion to Withdraw as Local Resident Counsel.

4 Dated this 3rd day of April, 2015.

5 BRINEN & ASSOCIATES, LLC

6
7 By: /s/ Joshua D. Brinen
8 Joshua D. Brinen, Esq.
9 Nevada Bar No. 13456
10 Brinen & Associates, LLC
11 7 Dey Street, Suite 1503
12 New York, New York 10007
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13 **Declaration of Sean P. Flanagan, Esq. in Support of Motion to Withdraw**

14 1. I was retained as resident local counsel while Joshua D. Brinen's admission to
15 practice before the Courts of the State of Nevada and before this Court was pending.

16 2. I performed my duties as Defendant's counsel in this action while Joshua D.
17 Brinen was awaiting admission to practice before the Courts of the State of Nevada and before
18 this Court.

19 3. Joshua D. Brinen has been admitted to practice before the Courts of the State of
20 Nevada and before this Court.

21 4. Defendant will not be prejudiced, as Joshua D. Brinen has participated fully in
22 Defendant's defense and is fully familiar with the pleadings and procedural developments in this
23 action.
24
25

26 Executed this 3rd day of April, 2015

27 /s/ Sean P. Flanagan
28

Sean P. Flanagan, Esq.

Memorandum of Points and Authorities

1
2
3 1. Sean P. Flanagan was retained as resident local counsel while Joshua D. Brinen's
4 admission to practice before the Courts of the State of Nevada and before this Court was
5 pending.

6
7 2. Joshua D. Brinen has been admitted to practice before the Courts of the State of
8 Nevada and before this Court.

9 3. Defendant has received notice of this Motion, pursuant to Local Rule IA 10-6(a).

10 4. Opposing counsel will receive notice of this Motion through the Court's CM/ECF
11 system and by first-class mail, pursuant to the Certificate of Service attached hereto.

12
13 5. In accordance with Local Rule 10-6(e), the granting of this Motion will not result
14 in the delay of discovery, the trial, or any hearing in this case.

15 6. The Parties will not be prejudiced by the granting of this Motion, as Joshua D.
16 Brinen, while admitted pro hac vice, has fully participated in this case.

17
18 WHEREFORE, it is requested that the Court enter an Order approving the withdrawal of
19 Sean P. Flanagan as Defendant's local resident counsel.

20 Dated this 3rd day of April, 2015.

21 BRINEN & ASSOCIATES, LLC

22
23 By: /s/ Joshua D. Brinen
24 Joshua D. Brinen, Esq.
25 Nevada Bar No. 13456
26 7 Dey Street, Suite 1503
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Attorneys for Defendant
Standard Metals Processing, Inc.

IT IS SO ORDERED:

UNITED STATES DISTRICT JUDGE

DATED: _____

CERTIFICATE OF SERVICE

I hereby certify that, on the 3rd day of April, 2015, I filed the foregoing **Motion and Proposed Order to Withdraw as Local Resident Counsel** through the Court's CM/ECF system, with service by first-class mail to:

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Rachel E. Donn, Esq. (SBN 010568)
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/s/ Joshua D. Brinen